United Nations CCPR/C/SR.3505

International Covenant on Civil and Political Rights

Distr.: General
17 July 2018

Original: English

Human Rights Committee
123rd session

Summary record of the 3505th meeting
Held at the Palais Wilson, Geneva, on Thursday, 12 July 2018, at 10 a.m.

Chair: Mr. Shany

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Initial report of the Lao People's Democratic Republic (*continued*)
(CCPR/C/LAO/1; CCPR/C/LAO/Q/1 and CCPR/C/LAO/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of the Lao People's Democratic Republic took places at the Committee table.*

2. **Mr. Thephachanh** (Lao People's Democratic Republic), resuming the delegation's replies to the questions raised at the previous meeting, said that Lao citizens had the right to lodge complaints and petitions to the competent State bodies, which examined and resolved them in accordance with the law. The National Assembly Standing Committee exercised oversight functions in regard to the activities of the people's courts, among others. In accordance with the Law on the Handling of Petitions, citizens had the right to present a petition for justice to the National Assembly, including in connection with judgments rendered by Lao courts. The National Assembly assessed whether the authorities had acted in conformity with the law and, if any irregularities were found, communicated with the public prosecutor to take further action by ordering the court to reopen the case. If no irregularities were found, the National Assembly would communicate with the Ministry of Justice to go ahead with enforcing the judgment or decision of the court.

3. In autumn 2017, the National Assembly had discussed the abolition of the death penalty at length. Following the discussion, the proposal had been put to the vote and two thirds of the members had voted in favour of retaining the death penalty, deeming it a necessary tool for combating crime in the country. However, in the amended Penal Code the number of offences that carried the death penalty had been reduced, and pregnant women and persons under 18 years of age were exempt from execution. Although the Government had never formally established a mortarium on the death penalty, a de facto moratorium had been in place for over thirty years.

4. **Mr. Daohoungsouly** (Lao People's Democratic Republic) said that imprisonment in the Lao People's Democratic Republic was intended for the re-education of criminals to ensure future compliance with the law after their release. Both the Law on National Public Security and the Law on Criminal Procedure prohibited the ill-treatment of persons in places of detention, and proceedings could be brought against prison staff accused of such violations. The Office of the Public Prosecutor and the police were mandated to exercise oversight of detention facilities and receive complaints of ill-treatment. The allegations of torture and ill-treatment of inmates in prisons, including locking their legs in wooden stocks for extended periods, beatings and burning their body parts with cigarettes, were baseless. Human rights organizations, the International Committee of the Red Cross (ICRC) and other international delegations had been invited to visit Lao prisons and drug rehabilitation centres, including the Somsanga Centre, and had engaged with national and foreign inmates to gain a first-hand perspective.

5. The Government was doing its utmost to improve detention facilities and infrastructure. The Lao People's Democratic Republic was a major drug transit country and prison overcrowding was a concern. Prisoners were separated by category and there were plans to build additional facilities throughout the country. The Government's humanitarian approach, prescribed in the Constitution and domestic legislation, provided for early release, pardon, amnesty and commutation of sentences. The statistics showed that the number of prisoners benefiting from those provisions had been increasing in recent years, from 846 sentences reduced and 209 prisoners released in 2015 to 1,596 sentences reduced and 339 prisoners released in 2017. Five death sentences had been commuted to lesser punishments.

6. **Mr. Phanthamaly** (Lao People's Democratic Republic) said that the Media Law protected journalists in the lawful exercise of their profession. All media agencies were required to comply with the Law and media ethics. To date, no media agency had been shut down as a result of reported violations.

7. **Mr. Norasing** (Lao People's Democratic Republic) said that the amended Penal Code, which was about to be promulgated, established torture as a punishable offence.

8. With regard to the Committee's concern about possible derogations from article 4 of the Covenant during states of emergency, he wished to confirm that the Law on National Security and the Law on National Defence recognized the non-derogable rights set forth in the Covenant and required that the conduct of the authorities must comply with the relevant laws, notably the Law on Criminal Procedure. Although the language of national legislation deviated from the wording used in the Covenant, the essence of articles 4, 6, 7 and 8 of the Covenant was well reflected.

9. Owing to time constraints, the delegation had been unable to obtain statistics on convictions for hate speech under articles 94–96 of the Penal Law and would submit the requested information in writing. No judgments had been issued under article 177 of the Penal Law, which criminalized discrimination against women.

10. **Ms. Phanit** (Lao People's Democratic Republic) said that she would submit a reply in writing.

11. **Mr. Sisoulath** (Lao People's Democratic Republic) said that the allegations of enforced disappearance of Kha Yang, Ko Tee were baseless. The authorities had checked the list of ethnic Hmong persons who had returned from Thailand and Kha Yang's name had not been on that list. Despite all necessary steps taken by the authorities to ascertain the whereabouts of Ko Tee, there had been no evidence supporting the allegations of his disappearance on Lao territory. The allegations concerning the seven men, and two men and others, were equally baseless. The information before the Committee came from unreliable sources and his Government resolutely rejected the allegations contained therein. The Lao People's Democratic Republic had been among the first countries to sign the International Convention for the Protection of All Persons from Enforced Disappearance and strongly condemned all forms of enforced disappearance.

12. Civil society organizations were not entitled to participate in the Government's National Steering Committee on Human Rights but were kept abreast of the Committee's activities, including during the preparation of reports to United Nations bodies.

13. In response to the question regarding the accession by the Lao People's Democratic Republic to the Optional Protocol to the Covenant, he said that his country was party to several international human rights instruments. Given its limited resources and capacities, the Government was currently focusing on the implementation of existing commitments, instead of on incurring new obligations. At the same time, efforts were being made to strengthen domestic remedies, in particular through the Law on the Handling of Petitions. The reservation to article 22 of the Covenant was intended to clarify that the article must be applied in conformity with the Lao Constitution and relevant domestic legislation, and that the exercise of freedom of expression must not undermine the political regime and the system of government chosen by the Lao people in pursuit of their right to self-determination.

14. **Mr. Santos Pais** said that the Committee was gravely concerned by reports of harsh conditions in places of detention, overcrowding, arbitrary detention, lack of due process, ill-treatment and lack of judicial oversight. The delegation should indicate whether a comprehensive report had been prepared on the situation in places of detention and, if so, share the details with the Committee. Data on the number and location of onsite visits conducted by the Office of the Public Prosecutor in the previous five years and their outcome would also be appreciated. It would also be useful to know how many complaints concerning conditions of detention had been received and what measures had been taken in response. He asked whether the Office of the Public Prosecutor monitored the situation of prisoners detained beyond the term of their sentence. It would be helpful to obtain data on the number of disciplinary actions, criminal prosecutions and other measures taken in the previous five years against prison officials accused of having violated prisoner's rights. The delegation should elaborate on the conclusion reached in the investigation into the death of Khamphouvieng Sisa-at and indicate whether his family had received compensation.

15. The Committee would be grateful to obtain updated statistics on the prison population, disaggregated by sex, age, length of sentences and type of offence; the number of prison facilities and their official capacity; and the number of prison officers and medical staff. He asked what measures the Government intended to take to improve prison conditions and what progress had been made with the construction of additional facilities. It would also be useful to know what measures were envisaged to ensure judicial and prosecutorial oversight of drug detention centres.

16. Would the delegation explain how the right of ethnic minorities to free, prior and informed consent was ensured in the context of development projects, extractive activities and land use concessions affecting their ancestral lands? It would also be helpful to know how the State party reconciled the development objective of the relocation policy with the need to preserve ethnic communities' identity, ties to land, traditional ways of life and cultural heritage. He asked what measures the State party intended to take to grant land activists freedom of speech and access to justice and to ensure that resettled communities received adequate and effective compensation. He also wished to know whether the circumstances of the arrest of 14 villagers in Thateng district in July 2017 for protesting against violation of their land rights had been duly investigated.

17. The delegation should inform the Committee about the measures taken to end the persecution of the Hmong ethnic minority group, respond to allegations of detention and enforced disappearance of several of its members, and address the reported malnutrition and lack of access to health care in Hmong communities. He asked whether Thao Moua and Pa Phue Khang remained in prison and, if so, where and for how long. The delegation should inform the Committee whether the reported attack of 6 April 2006 in the northern province of Vientiane had been investigated and, if so, convey the outcome of those investigations.

18. **Mr. Ben Achour** said that the implications of the "exit tax" imposed on prisoners needed clarification. Was it true that the "exit tax" was essentially a fine or civil damages that prisoners had failed to pay when they were placed in detention, and that they were kept in detention if they were unable to pay on release? If so, that practice was incompatible with the Covenant. No person could be imprisoned for debt or kept in prison after they had served their sentence.

19. The Committee had been informed that a committee of the Lao National Assembly had published a report in July 2015, which had confirmed the existence of detention without charge and detention beyond the statutory limit in the State party. The delegation should inform the Committee whether such a report indeed existed and, if so, comment on the findings.

20. Although State party legislation recognized freedom of religion or belief, the Committee had been informed that the Christian minority was sometimes subject to discrimination and repression. It would be useful if the delegation could comment on that information.

21. **Ms. Waterval** said that she wished to have more information on the practices applicable to defendants in criminal trials. She wondered whether it was true that defence lawyers, while permitted to attend trials, could not argue the merits of cases, challenge evidence or mount cases for their clients. She would like to know how defendants were informed of the charges against them and how the presumption of innocence worked in practice.

22. She would appreciate information on the independence of the judiciary, including who was responsible for appointing judges, particularly as the Constitution provided for the referral of cases to the public prosecutor by the National Assembly. While acknowledging the obligation on all state and party organizations to comply with final court decisions, she would like to know whether individuals were similarly bound.

23. Regarding the right to peaceful assembly, she wished to know how the Government interpreted the term "social disorder" in article 72 of the Penal Law. Further, she would like to know how many people had been arrested, prosecuted and convicted for causing social disorder and whether, in the view of the delegation, that article was aligned with article 21

of the Covenant. Lastly, she would welcome the delegation's response to claims that Lao citizens had been arrested for participating in peaceful demonstrations abroad in December 2015.

24. **Ms. Brands Kehris** said that she wished to have more specific answers concerning legal provisions that unduly restricted freedom of expression. In particular, the State party should explain how the restrictions provided for in Decree No. 327 of 16 September 2014 and articles 65, 94 and 95 of the Penal Law met the requirements set out in general comment No. 34, namely that all such restrictions should be provided by law and conform to strict tests of necessity and proportionality.

25. She would appreciate more information on state control of the media, including the amended Law on Media which reportedly increased restrictions and aimed to ensure strict adherence to, and promotion of, government policy. The delegation should explain how such provisions were compatible with the freedom of expression guaranteed in the Constitution and article 19 of the Covenant. She also wished to have details on the application of articles 50 and 51 of the Law on Media and article 52 of the Law on Publication, including statistics on related investigations, prosecutions, sanctions and available remedies.

26. She would be grateful for more specific information about the restrictions imposed on international media and other bodies, including by virtue of the Decree of November 2015 on Management of Foreign Media Agencies, the Media of Diplomatic Missions and International Organizations. She would welcome comments on the obligation to submit materials for government approval prior to publication, as well as further information and statistics on censorship measures and sanctions for the publication of unapproved content. She would be particularly interested to hear if there were any mechanisms for appeals against such measures and sanctions.

27. The State party's response to reports of arbitrary arrest, detention, trial and imprisonment without due process on grounds of political opposition and criticism of state authorities or policies, while welcome, did not address the Committee's questions regarding restrictions on freedom of expression and their strict necessity and proportionality in the cases of Bounthanh Thammavong, Somphone Phimmasone, Lodkham Thammavong and Soukan Chaithad, or explain how the mere expression of opinions could be equated with acts posing a real and credible threat to the State. She wished to have additional information on the situation of those individuals; the number of investigations, detentions, prosecutions and convictions under articles 56, 65 and 72 of the Penal Law; and the scope for expression of political opposition or criticism of official policies, in view of the broad definitions contained in those articles.

28. While acknowledging the information provided by the State party on freedom of association, she would like to know how the registration procedures for foundations and associations, which were reportedly slow and burdensome, were compatible with that principle and with the State party's objective, as stated in its reply to the list of issues, "to encourage and promote the activities of civil society organizations". She would appreciate specific details about any associations focusing on the protection of human rights that may have been registered.

29. She wished to know what steps the State party had taken to address concerns that Decree No. 238, as amended, enabled arbitrary restriction of the right of association owing to its failure to define key terms or provide for any means of appeal against the dissolution of associations, its criminalization of unregistered associations and its provisions granting broad powers for the monitoring and curtailment of association activities. She wished to know whether the State party would consider extending an invitation to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, who could help it to align such legislation with international standards. Further, she would like the State party to explain how Decree No. 013 and related guidelines, which appeared to restrict the registration and activities of international non-governmental organizations (NGOs) in line with government policies and objectives, corresponded to the constitutional guarantees of freedom of association.

30. While noting the information provided by the State party on its framework for political participation, she wished to know how the role of the Lao People's Revolutionary Party as defined in the Constitution provided for political pluralism, given the ban on establishing other parties and the restrictions on criticizing the policies of the Party or the Government. She was interested to learn what measures had been taken to enhance political pluralism and its free expression. She also wished to know whether the right of citizens to stand for election was subject to the approval of the Lao People's Revolutionary Party and, if so, how that was compatible with article 25 of the Covenant.

31. With reference to paragraph 94 of the State party's reply to the list of issues, she wished to know how the decision was reached to revoke the electoral rights of persons with mental disabilities. In addition, she would like the State party to clarify whether all convicted persons were barred from participating in elections and whether such restrictions were time-limited, individualized and proportional to offences and sentences.

32. **Ms. Kran** said that she would be interested to know whether civil society had contributed to the drafting of the State party report and how ethnic minorities and other minority groups were involved generally in the process of reporting to the Committee. She also wished to know whether the State party planned to translate the Committee's concluding observations into minority languages and disseminate and broadcast them, including via social media, to all citizens.

33. The State party's most recent report to the Working Group on the Universal Periodic Review had stated that laws and human rights conventions had not been widely disseminated owing to resource and capacity constraints, to the extent that the general public and even officials were unfamiliar with the Government's human rights obligations and commitments. Similarly, the family members of disappeared persons were reportedly unaware of United Nations human rights mechanisms and hence unable to access them. She would like to know what steps had been taken to address the aforementioned constraints and raise awareness of legal instruments and human rights conventions.

34. The delegation had drawn the Committee's attention to certain gaps and conflicts between international and domestic laws. She would be interested to hear how the State party planned to bridge those gaps.

35. She understood that the National Steering Committee on Human Rights consisted of government officials and did not receive and investigate complaints, in which case it could not be considered a national human rights institution under the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). She would be grateful to have the delegation's comments in that regard.

36. She gathered that the State party needed to raise awareness and build capacity before it could ratify the International Convention for the Protection of All Persons from Enforced Disappearance and that, until such time, disappearances could not be recognized in domestic law. However, the State party had also accepted the recommendation of the Human Rights Council on the ratification of that Convention. She would be grateful to know what measures it had taken to follow up that recommendation.

37. Lastly, recent events in the State party appeared to reveal a pattern of impunity for enforced disappearances. Given the obligation under the Covenant to investigate, prosecute, punish and provide reparation for such acts, she wished to know what steps the State party was taking to effectively investigate them and ensure the accountability of those responsible.

38. **Mr. de Frouville** said that he did not understand why the non-ratification of the International Convention for the Protection of All Persons from Enforced Disappearance should prevent the State party from criminalizing such acts. Moreover, the Committee did not wish to have the delegation's views on Sombath Somphone's personality; rather, it wished to know what steps were being taken to investigate his disappearance. In that regard, he wished to draw the delegation's attention to the Model Law on the Missing, drafted by the ICRC, which provided guidance on the establishment of a system for declarations of absence and the management of missing people's assets. Against that

backdrop, he wished to know whether the State party would consider adopting a law on enforced disappearances pending the ratification of the Convention.

39. **The Chair** said that the delegation should endeavour to give detailed answers to specific allegations of disappearances, torture and deaths in custody, providing information on investigative steps taken, outcomes of investigations, court decisions, if any, and domestic and international monitoring mechanisms in place.

40. **Mr. Sangsomsak** (Lao People's Democratic Republic) said that he would be grateful if the meeting could be extended, so that the delegation could answer the large number of questions raised.

The meeting was suspended at 11.20 a.m. and resumed at 11.50 a.m.

41. **Mr. Daohoungsouly** (Lao People's Democratic Republic) said that detention facilities across the country provided separate accommodation for men, women, persons under 18 years, persons awaiting execution and persons with communicable diseases. The Somsanga Centre was not a detention facility but a rehabilitation centre where drug users could voluntarily admit themselves. Sanitary conditions at the centre had been improved and clean water was provided. Reports of torture were false. Children had been apprehended by village militia at the request of parents, who could not cope with their behaviour and had asked for them to be taken to Somsanga. Beggars and street children were not arrested, and person with mental disorders were taken to hospital for treatment. Nor were children abused at Somsanga: parents were able to visit them and bring food for them daily. As the Ministry of Public Security had already clarified, the Government planned to establish facilities in central, southern and northern Laos to alleviate overcrowding in prisons. Pardon and amnesty policies in place had already been explained. Detention centres had medical facilities for the emergency treatment of prisoners. Each facility had between three and five medical personnel. Inmates who could not be treated there were taken to provincial hospitals at the expense of the Government.

42. Regarding the death of Khamphouvieng Sisa in September 2011, forensic examiners and investigators had confirmed that the cause of death was a serious, deteriorating stomach illness. In addition to other relevant parties, his relatives had been notified and were present during his treatment and the forensic examination. Pa Phue Khang, who had been arrested in 2003 and sentenced to 15 years' imprisonment, had been released in March 2015 after his sentence had been reduced.

43. Some prisoners were liable to pay civil damages or fines following completion of their sentences. For example, an individual convicted of murder would have to pay civil damages to compensate the family of the victim. The means and schedule of payment were determined by the relevant authorities, and it was possible for payment to be made in instalments. Foreign prisoners were required to pay expenses and civil damages. In the event that they could not pay such charges, their embassies would be notified and they could experience a delay or complication in their release from prison. The Government was working to address the issue.

44. Prosecutors were authorized to monitor and inspect all prisons. There was no prescribed time frame for inspections, and visits could take place several times a month if considered necessary. In the majority of cases, provincial prosecutors were responsible for inspections within their jurisdictions.

45. **Mr. Phanouvong** (Lao People's Democratic Republic) said that, under article 9 of the Constitution, all Lao citizens had the right to practise any religion, and Decree No. 315 on the Management and Protection of Religious Activities provided that legal persons were forbidden to force or coerce others into believing in a given religion. The State respected all lawful religious activities and encouraged adherents of all faiths to participate in nation-building and the implementation of universal equal rights. For the previous two years, the Government had been disseminating Decree No. 315, which had been drafted with the involvement of representatives of different religions, and would review its implementation in 2019.

46. The Government had introduced the Decree on Compensation and Resettlement of People affected by Development Projects, under which all such projects were required to

conduct a social impact assessment and provide information on the project and on plans to enhance the living conditions of those relocated. Projects must also abide by the guidelines on consultations with all ethnic groups affected, in order to ensure continued access to State services. In addition, a strategy on ethnic affairs was under development and would be brought before the Government in August 2018.

47. **Mr. Nhotleuxay** (Lao People's Democratic Republic) said that the Government was working to improve the registration process for organizations and met with their representatives regularly to address any problems. A time limit on the registration process had been introduced to address delays, which had been caused in part by the high number of applications. The Government provided advice to registering organizations and checked financial records thoroughly in order to avoid any potential misconduct. The Ministry of Home Affairs did not prohibit the activities of unregistered organizations, but they could face difficulties when working with registered organizations and attempting to raise funds. There were numerous active civil society organizations in the fields of education, public health, the environment, labour and social welfare, justice, the rights of women and children, and forestry. Marginally more registration applications were granted than denied.

48. **Mr. Khammoungkhoun** (Lao People's Democratic Republic) said that the decree on international NGOs was often misunderstood and misinterpreted. It was not intended to restrict or delay the registration of NGOs, but rather to facilitate their work, and it provided clear guidelines on how to obtain approval in a specified time frame. The Government worked to ensure the accountability of NGOs, in order to guarantee that such organizations allocated their funding appropriately and to the benefit of people in need. Over 160 international NGOs were registered, the largest number of which were from the United States of America, followed by South Korea and France. They were operational in almost all provinces and had launched projects in sectors including social welfare, rural development and disaster relief.

49. **Mr. Phanthamaly** (Lao People's Democratic Republic) said that the Law on Media guaranteed the right of Lao citizens to freedom of expression, to access the media and to provide information to and receive information from them. Individuals and organizations had the right to organize and participate in media work, and the Government encouraged media organizations to improve their technical capacities and develop production and distribution facilities. There were currently 3 private television stations, more than 10 community radio stations and over 13 daily newspapers. There were over 1 million Internet users and over 3,000 people employed in the media, of whom 30 per cent were female.

50. The Decree on the Management of Foreign Media Agencies regulated and facilitated the activity of foreign media outlets to ensure their compliance with Lao legislation. There was no restriction on their access to information or on the import of media materials from abroad, although permission was required from the relevant authorities. There were no prohibitions on the content of media coverage, and no reporters had been arrested or imprisoned. As of 2018, there were approximately 3,000 foreign journalists in the country, and over 100 reporters from six countries had recently participated in the Lancang-Mekong international media summit.

51. **Mr. Norasing** (Lao People's Democratic Republic) said that the actions of Somphone Phimmasone, Lodkham Thammavong and Soukan Chaithad were criminal offences under the Penal Law. The three defendants had refused counsel and had chosen to defend themselves, and their trial had been conducted with regard for due process and in compliance with international law, including the Covenant. In testimony provided before the trial, the defendants had admitted to attempting to overthrow the Government, organizing anti-Government activities and recruiting people for those purposes. They had also admitted to receiving financial support from foreign nationals in Australia, Thailand and the United States of America.

52. **Mr. Thephachanh** (Lao People's Democratic Republic) said that, under the Constitution, the executive and the judiciary were subject to the oversight of the National Assembly, to which they had reporting commitments. The National Assembly was also responsible for electing and, if necessary, removing the President of the People's Supreme Court and the Supreme People's Prosecutor. The National Assembly did not interfere in the

work of the judiciary, and it received complaints about the conduct of state organizations. Complaints and petitions could be referred to the Supreme People's Prosecutor if irregularities were found, and, if not, the Ministry of Justice would enforce court decisions as instructed by the National Assembly. All Lao citizens and organizations, including civil society and international organizations, must strictly abide by final court decisions.

53. Article 3 of the Constitution guaranteed the right of the multi-ethnic Lao people to a political system with the Lao People's Revolutionary Party as the leading body. The National Election Committee was formed of members of various organizations. All citizens were entitled to stand for election at all levels, with candidates proposed by recognized organizations and selected through a transparent mechanism. Candidates were not required to be members of the Lao People's Revolutionary Party. The right to vote was not afforded to people medically certified as mentally unfit or to persons serving custodial sentences.

54. Regarding the July 2015 report on the extended detention of prisoners, in that instance the National Assembly had recommended to the Government and the relevant authority that the situation should be addressed. In addition to the oversight of the National Assembly, the Justice Committee monitored the work of the judiciary, including in detention facilities.

55. **Mr. Norasing** (Lao People's Democratic Republic), acknowledging that the provisions of the international instruments ratified by his country had not yet been fully incorporated into domestic law, said that shortcomings in that regard were due to the difficulty of applying international law in a specific socioeconomic context. The Ministry of Justice and the National Assembly had recently established special departments to review the content and implementation of domestic legislation. Steps were being taken to align national legislation with the relevant international instruments, based on the recommendations made during the universal periodic review. International NGOs and bodies of the United Nations system had been consulted on the new Penal Code.

56. **Mr. Sisoulath** (Lao People's Democratic Republic) said that the restrictions placed on the right of peaceful assembly in order to preserve public order were consistent with article 21 of the Covenant. The case that had been mentioned by the Committee concerned three people who had organized a protest in front of the Embassy of the Lao People's Democratic Republic in Bangkok, on the fortieth anniversary of the country's founding, in order to discredit the country's achievements. They had committed criminal offences, such as raising a flag that was outlawed in the country, in exchange for payment from persons who were being detained abroad. Those offences bore no relation to freedom of expression. The three offenders had been tried and convicted in accordance with the law and were serving prison sentences. Similarly, in the case of Bounthanh Thammavang, the offender had not sought to exercise freedom of expression but rather had been paid by an ill-intentioned group outside the country to criticize the Government online. His prison sentence had been reduced by one year for good behaviour.

57. The Government was still actively investigating the disappearance of Sombath Somphone and had provided information to all interested parties, including various ambassadors and diplomats. Unfortunately, the case was very complex and would take years to solve. A proposal to include a definition of enforced disappearance in the Criminal Code had been voted down by the National Assembly on the basis that the State was not yet a party to the International Convention for the Protection of All Persons from Enforced Disappearance and was therefore under no obligation to establish such a definition.

58. He wished to clarify the details of the case involving so-called land rights defenders. The authorities had offered compensation to a community whose land had been affected by development projects. A few members of the community had refused the offer of compensation and had filed complaints with various bodies in order to obstruct the development of the country. As a result, they had been arrested by the authorities and investigated in accordance with the law.

59. Steps were being taken to review the mandate of the National Steering Committee on Human Rights, taking into account the Paris principles and advice from the international community. A compilation of international human rights treaties had been published and disseminated to various target groups in order to raise awareness of the content of the

Covenant. Civil society consultations had been organized as part of the reporting process, and the outcomes of the dialogue with the Committee would be shared widely. Consideration would be given to making use of the ICRC Model Law on the Missing.

60. **Ms. Brands Kehris** said that her questions on the restriction of media content had not been fully answered. With regard to the election process, she wondered if the delegation could confirm that all candidates must be nominated by the ruling party or a State-sponsored organization. She would also like to know which authority was responsible for depriving persons with intellectual and psychosocial disabilities of the right to vote and whether all prisoners, regardless of the nature of their sentence, were banned from voting.

61. **Ms. Waterval** asked how many persons had been sentenced to death for drug-related offences and when the most recent death sentence had been handed down.

62. **Mr. Ben Achour**, pointing out that criticism of the Government fell within the scope of freedom of expression, said that he was familiar with the history of the State party and the challenges that it had faced. Now that its situation had stabilized, it should consider opening itself up to political pluralism.

63. **Mr. Sisoulath** (Lao People's Democratic Republic) said that the Government had studied the Committee's general comment No. 34 on freedoms of opinion and expression very carefully while drafting the Law on Media. It was aware that the Law was not fully aligned with international human rights instruments and had recently organized some workshops to address that issue.

64. The political regime of the Lao People's Democratic Republic, which was enshrined in its Constitution and reflected the aspirations of the Lao people, was legitimate under international law. States parties to the Covenant had the right to pursue socioeconomic development freely and without external interference; they could not be expected by the Committee to adopt a particular political system.

65. **Mr. Daohoungsouly** (Lao People's Democratic Republic) said that, out of 315 persons on death row, 311 had been convicted of drug-related offences and 4 had been convicted of murder.

66. **Mr. Sangsomsak** (Lao People's Democratic Republic) said that he was pleased that the dialogue had been conducted in a frank, constructive and professional manner, without interference in the State's internal affairs. His country was willing to cooperate with the Committee in order to improve its implementation of the Covenant; he hoped that, in turn, the Committee was prepared to acknowledge the constraints and challenges faced by his country. In order to maintain its credibility, the Committee should check the reliability of its sources, for many of the claims that had been made were completely unfounded. Lastly, although he was grateful to Mr. Ben Achour for his encouragement, it was worth noting that the country had introduced a multiparty system upon gaining independence and had suffered a lengthy civil war as a result. The country needed strong leadership in order to develop and was not yet ready for political pluralism.

67. **The Chair** said that he wished to thank the delegation for the constructive dialogue. The Committee's aim was to help the State to fulfil its obligations under the Covenant and to live up to its name by becoming a democratic country governed by the rule of law. States parties were entitled to adopt the political system of their choice; however, they must comply with the universal standards set forth in the Covenant. They were required by the Covenant to protect civic space and to ensure accountability for human rights violations.

The meeting rose at 1.20 p.m.